

III. REMARKS

1. Claims 1, 15 and 17 are amended.

2. In the Office Action, claims 1, 4-6, 8 and 13 were rejected under 35 U.S.C. §102(e) as being anticipated by Chang (US 6,532,225) for reasons set forth in the Action. Claim 2 was rejected under 35 U.S.C. 103 as being unpatentable over Chang in view of Spartz (US 5,878,036), Claims 3, 9-12, 14 and 17 were rejected under 35 U.S.C. 103 as being unpatentable over Chang in view of Widegren (US 6,374,112), and claims 15-16 and 18 were rejected under 35 U.S.C. 103 as being unpatentable over Chang in view of Sibecas (US 5,940,756) for reasons set forth in the Action.

The independent claims 1, 15 and 17 have been amended to distinguish over the cited art. This is believed to overcome the rejections under 35 U.S.C. 102 and 103, and to secure allowable subject matter in these claims and in their respective dependent claims in view of the following argument.

A feature of the present invention is set forth in the last paragraph of claim 1, namely, that the network allocates to the terminal a radio resource of a type, which is well-suited for packet switched implementation of the realtime service. Claim 1 has been amended to clarify this point by stating that the radio resource type is designed for a packet-switched implementation of the realtime service. This is a distinguishing feature of the present invention because the allocated radio resource is of type which is optimized for realtime service while, insofar as the prior art is understood, such optimization for realtime service is not taught by the cited prior-art.

Furthermore, the prior-art does not seem to categorize the requests in terms of realtime and non-realtime requests, whereas the present application provides a specific request for realtime service (realtime request). It is noted that the term "realtime service" is specifically set forth in the middle of claim 1. The realtime request is a specific request which causes the network to allocate to the terminal a radio resource of a type, which is particularly designed (or optimized) for the packet switched implementation of the realtime service. Accordingly, the present invention provides an optimized radio resource allocation for realtime service. It is understood that the same effect can not be achieved by the prior-art solution, since it is understood that cited references, considered individually or in combination, fail to present any specific or separate realtime requests.

The foregoing feature of the present invention is addressed by claim 1. Claim 1 recites that the first message is a "radio resource request" for the packet switched implementation of a "realtime service." The "request" is a specific request that causes the network to "allocate" a "radio resource" to the "terminal." The type of "radio service" that is allocated is designed for the packet switched implementation of the real time service. This is not disclosed or suggested by Chang, considered alone or in combination with the other references.

Chang discloses a "Medium Access Control Layer" that enables "real-time applications." However, Chang does not disclose or suggest specific requests for a "realtime service" as in the present invention.

Chang discusses gaining access to a "traffic channel" to send a "Packet Channel Request" message (Col. 4, Lines 31-32.) The message sent indicates the access type (Col. 4, Lines 34-36).

Chang teaches that the message indicates the access type or the reason for the access, such as data transfer, page response, or measurement report, by way of example.

Accordingly, although Chang says that the reason for the access is indicated, there is no indication that a radio resource is specifically requested for a realtime service. Possibly, Chang discloses an indication in the message that a radio resource is requested for data transfer, for example. However, this teaches that the radio resource is specifically requested for data transfer, and does not mean that a radio resource would be specifically requested for a realtime service. The fact that data transfer may be implemented either as a realtime or non-realtime service is of no concern to Chang who, at most, teaches the requesting of a radio resource for data transfer whether or not this is a realtime service.

Possibly, the examiner is of the opinion that Chang appears to disclose the request for data transfer which may be (but not necessarily is) a realtime service. It is respectfully submitted that, based on this, the examiner seems to unreasonably interpret the request for data transfer to be a radio resource request for realtime service. However, there is no specific teaching that this must be the case. Chang's request can not be a specific request specifically requiring a radio resource for a realtime service but, as noted above, is only a request for data transfer.

It is emphasized that, since Chang's request does not specify whether the service is to be a realtime service or a non-realtime service, there is no teaching of an allocation of a radio resource specifically designed or optimized for a realtime service. Therefore, as noted above, the statement in claim 1 namely, that the radio resource of a type which is designed for

the packet switched implementation of a realtime service, clearly distinguishes the present invention from the teaching of the cited art.

A corresponding statement of this feature of the invention is added by amendment also to the independent claims 15 and 17 so as to distinguish these claims further from the teachings of the cited art. Accordingly, all of the independent claims and their respective dependent claims are believed to be free of the rejections under 95 U.S.C. 102 and 103.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

A check in the amount of \$120.00 is enclosed for a one-month extension of time. The Commissioner is hereby authorized to charge any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,


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26 July 2005
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